

ORIGINAL

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Kevin A. Apgar

Plaintiff

V.

Dr. Peter Binnon M.D. (CMS)

Defendant(s)

APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT

CASE NUMBER:

07 - 505

I, Kevin A. Apgar declare that I am the (check appropriate box)

☒ Petitioner/Plaintiff/Movant ☐ Other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915, I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☐ No (If "No" go to Question 2)

If "YES" state the place of your incarceration Howard R. Young Correctional Institute

Inmate Identification Number (Required): 302981

Are you employed at the institution? No Do you receive any payment from the institution? No

Attach a ledger sheet from the institution of your incarceration showing at least the past six months' transactions

2. Are you currently employed? ☐ Yes ☒ No

a. If the answer is "YES" state the amount of your take-home salary or wages and pay period a and give the name and address of your employer.

b. If the answer is "NO" state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

1/03 - 4/03 Harmon Inc. Maryland, DE \$250 wk.

3. In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---|---|--|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| f. Any other sources | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of the above is "YES" describe each source of money and state the amount received AND what you expect you will continue to receive.

f. Family sends approx. \$40 each month

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DELAWARE (Rev. 4/05)

4. Do you have any cash or checking or savings accounts?

• • Yes

• ☒ No

If "Yes" state the total amount \$ _____

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property?

• • Yes

• ☒ No

If "Yes" describe the property and state its value.

6. List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support, *OR* state *NONE* if applicable.

NONE

I declare under penalty of perjury that the above information is true and correct.

8-8-07
DATE

Kevin A. Appen
SIGNATURE OF APPLICANT

NOTE TO PRISONER: A Prisoner seeking to proceed without prepayment of fees shall submit an affidavit stating all assets. In addition, a prisoner must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

RESIDENT HISTORY REPORT

Page 1 of 1

HRYCI

08/10/07 11:16

ST 007 / OPR SJW

07 505

SBI : 302981
 Resident Name : APGAR, KEVIN
 Time Frame : 02/01/2007 14:34 - 08/10/2007 11:16

Date	Time	Type	ST	OPR	Receipt #	Amount	Balance
02/05/2007	09:30	Add	4	gmw	D63035	40.00	50.76
02/06/2007	08:19	Order	2	WLH	B153980	8.89	41.87
02/13/2007	08:36	Order	2	DDT	B155013	30.68	11.19
02/14/2007	08:39	Credit	3	WLH	C18058	6.25	17.44
02/14/2007	08:39	Order	3	WLH	C18059	3.25	14.19
02/20/2007	10:15	Order	2	DDT	B156295	14.15	0.04
02/27/2007	09:28	Add	8	bsf	H28698	10.00	10.04
02/28/2007	12:43	Rec Payment	6	kjg	F26207	4.00	6.04
03/06/2007	09:40	Order	2	DDT	B158150	6.01	0.03
03/06/2007	12:09	Add	4	gmw	D64893	30.00	30.03
03/12/2007	11:45	Add	4	J	D65291	10.00	40.03
03/12/2007	15:35	Rec Payment	10	bsp	J9004	1.00	39.03
03/13/2007	09:39	Order	2	DDT	B159147	25.80	13.23
03/20/2007	06:29	Order	2	DDT	B160222	11.84	1.39
03/27/2007	06:10	Order	2	DDT	B161148	1.30	0.09
03/29/2007	11:23	Add	4	CAR	D66265	10.00	10.09
03/30/2007	12:42	Add	4	gmw	D66372	12.00	22.09
04/03/2007	06:31	Order	2	DDT	B161975	21.24	0.85
04/05/2007	12:57	Add	4	J	D66729	20.00	20.85
04/10/2007	10:06	Order	2	AFC	B163122	19.75	1.10
04/17/2007	06:32	Order	2	AFC	B164139	1.04	0.06
04/18/2007	12:07	Add	4	CAR	D67459	25.00	25.06
04/19/2007	11:10	Add	4	gmw	D67489	25.00	50.06
04/24/2007	07:51	Order	2	DDT	B165123	24.99	25.07
05/01/2007	09:13	Order	2	DDT	B166159	21.01	4.06
05/03/2007	14:47	Rec Payment	10	bsp	J9747	1.00	3.06
05/07/2007	12:18	Add	4	CAR	D68496	20.00	23.06
05/08/2007	08:24	Order	2	DDT	B167054	3.25	19.81
05/08/2007	08:38	Add	8	GLD	H30442	20.00	39.81
05/15/2007	07:38	Order	2	DDT	B168017	34.74	5.07
05/16/2007	08:46	Order	3	WLH	C19620	0.20	4.87
05/17/2007	09:01	Add	4	gmw	D69055	20.00	24.87
05/22/2007	09:10	Order	2	DDT	B169030	22.37	2.50
05/23/2007	09:30	Credit	3	WLH	C19877	0.80	3.30
05/29/2007	08:27	Order	2	DDT	B170029	3.25	0.05
05/29/2007	09:24	Add	8	GLD	H30966	10.00	10.05
06/04/2007	12:24	Add	4	CAR	D70010	20.00	30.05
06/05/2007	08:25	Order	2	DDT	B170846	17.36	12.69
06/12/2007	08:46	Order	2	DDT	B171821	5.93	6.76
06/14/2007	09:51	Rec Payment	7	SJW	G11631	6.00	0.76
06/18/2007	09:09	Add	4	CAR	D70746	20.00	20.76
06/19/2007	08:26	Order	2	DDT	B172898	5.34	15.42
06/19/2007	10:08	Rec Payment	7	SJW	G11707	4.00	11.42
06/26/2007	12:39	Order	2	DDT	B173782	11.04	0.38
07/03/2007	06:51	Order	2	DDT	B174603	0.26	0.12
07/04/2007	09:42	Credit	3	WLH	C20826	0.26	0.38
07/06/2007	09:17	Add	6	wmd	F30279	20.00	20.38
07/10/2007	06:48	Order	2	DDT	B175647	17.28	3.10
07/16/2007	12:13	Order	2	DDT	B176449	2.99	0.11
07/18/2007	11:03	Add	4	SEA	D72372	20.00	20.11
07/23/2007	08:59	Add	4	gmw	D72554	15.00	35.11
07/23/2007	12:39	Order	2	DDT	B177508	12.36	22.75
07/31/2007	06:55	Order	2	DDT	B178315	15.02	7.73
08/01/2007	15:19	Rec Payment	10	bsp	J11275	2.50	5.23
08/06/2007	11:36	Add	4	gmw	D73356	40.00	45.23
08/07/2007	09:15	Order	2	WLH	B179317	17.92	27.31
08/09/2007	09:27	Add	8	bsf	H32617	20.00	47.31